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2 **IN THE UNITED STATES DISTRICT COURT**
3 **FOR THE DISTRICT OF ARIZONA**

4 United States of America,

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6 Plaintiff,

7 vs.

8 Nizan Erives-Madrid,

9 Defendant.
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) Case No. 08-3137M-001
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ORDER

11 Pursuant to the Defendant's Motion, good cause appearing and there being no
12 objection from the Government,

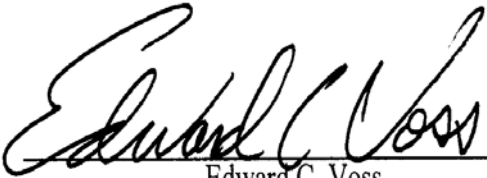
13 IT IS HEREBY ORDERED granting the Defendant's *Motion to Extend Time to*
14 *Indict* and extending the time deadline an additional thirty (30) days within which the
15 Government must file an indictment pursuant to 18 U.S.C. Sec. 3161.
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17 The Court specifically finds that the ends of justice served by granting a
18 continuance outweigh the best interests of the public and the Defendant. This finding is
19 based upon the Court's conclusion that: (1) counsel for the Defendant has only recently
20 been appointed; (2) the Defendant wishes to consider the plea offer extended by the
21 Government; (3) the defense requires additional time to investigate the matter; (4) the
22 plea offer, if accepted by the Defendant and the Court, would likely reduce the
23 Defendant's exposure to imprisonment; (5) the Government will likely withdraw the plea
24 offer if not timely accepted prior to indictment and a subsequent plea offer, if any, would
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1 likely be less advantageous; and (6) failure to extend time would thus operate to bar the
2 Defendant from reviewing the Government's plea offer in a meaningful way prior to
3 indictment.

4 IT IS FURTHER ORDERED that excludable time shall begin to run on the 31st
5 day after arrest for a period of thirty (30) days in which the government may present the
6 case to the grand jury.

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8 Dated this 12th day of May, 2008.

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12 Edward C. Voss
13 United States Magistrate Judge
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